

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
)	
Review of the Section 251 Unbundling)	CC Docket No. 01-338
Obligations of Incumbent Local Exchange)	
Carriers)	
)	
Implementation of the Local Competition)	CC Docket No. 96-98
Provisions of the Telecommunications Act of)	
1996)	
)	
Deployment of Wireline Services Offering)	CC Docket No. 98-147
Advanced Telecommunications Capability)	

COMMENTS OF ALCATEL USA, INC.

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SUMMARY

In these Comments, Alcatel USA, Inc., (“Alcatel”) urges the Commission to reexamine its network unbundling rules and place an added emphasis on facilities-based deployment, investment, innovation, and broadband networks. Investment since the 1999 UNE Remand Order by both CLECs and ILECs in the telecommunications and broadband infrastructure has been inadequate. The numerous benefits provided by multiple, redundant networks remains unavailable due to this lack of investment.

The Commission’s rules should emphasize the building of proprietary facilities by CLECs and the enhancement of existing networks by ILECs. Specifically, the Commission’s rules should exempt ILEC network elements requested by competitive carriers if they are to be used to provide services other than “telecommunications services,” if the elements are located in new network builds, if the element has been part of a network overhaul in which all or individual network elements are upgraded, and any new broadband facilities deployed on the customer side of the central office, including fiber, remote terminals, and xDSL electronics.

Finally, Alcatel urges the Commission to finalize its decision on whether the internal components of a next generations digital loop carrier (“NGDLC”), specifically the line cards, are network elements and subject to the Commission’s unbundling rules. These line cards are proprietary and have no individual functionality and should not be subject to these rules.

TABLE OF CONTENTS

I. Introduction.	1.
II. 1999 UNE Remand Order.	2.
III. Impact of Unbundling Rules.	6.
A Facilities-based Competition Among Network Providers is Highly Desirable.	7.
B Problems with Unbundling	9.
IV. The Commission Should Modify Existing Factors and Consider New Factors in its Unbundling Analysis.	11
A. The Commission Should Reevaluate the Premise of Unbundling and Progress Thus Far.	12.
B. The Commission Should Maintain its Existing Factors to Determine Which Network Elements are to be Unbundled, but it Should Place Increased Emphasis on Facilities-based Deployment and Market Predictability.	13.
C. The Commission Should Adopt Additional Standards in its Unbundling Analysis.	15.
1. Service-based Test and Broadband Facilities Exemption.	15.
2. New Builds and Network Overhauls Exemption.	16.
3. The Commission Should Consider Inter-Modal Competition in its Unbundling Analysis.	17.
4. The Commission Should Align its Local Competition Report with Existing and Future Geographical Carve Outs in the UNE Report.	18.
5. The Commission Should Include Granular Considerations in its Unbundling Analysis.	19.

a.	The Commission Should Consider Geographical Distinctions in its Unbundling Analysis.	19.
b.	The Commission Should Include Capacity and Customer Considerations in its Unbundling Analysis.	20.
c.	The Commission Should Install a Time Condition on Network Elements.	21.
V.	Specific Issues Noticed For Consideration.	22.
A.	The Commission Should Not Establish Unbundling Rules that Favor Certain Technologies.	22.
B.	The Commission Possesses the Statutory Authority to Distinguish Between Facilities that Provide Telecommunications Services and Those That Provide Information Services.	23.
C.	The Commission Should Consider Modifying its Pricing Rules to Permit ILECs to Recover Costs Associated with Their Investments.	24.
VI.	The Commission Should Take This Opportunity to Formally Declare that NGDLC Line Cards are not Network Elements Under the Act and are not Subject to Unbundling or Collocation Obligations.	25.
A.	The Introduction of Foreign Line Cards Into an NGDLC System Would Not be Functionally Practical.	26.
B.	The Commission Has Ample Legal Authority to Preclude Line Card Unbundling at Both the Federal and State Level.	28.
VII.	Conclusion.	31.